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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 TOP NOTCH SOLUTIONS, INC.,
9 et al.,

10 Plaintiffs,

11 v.

12 CROUSE AND ASSOCIATES
13 INSURANCE BROKERS, INC., et al.,

14 Defendants.

C17-827 TSZ

MINUTE ORDER

15 The following Minute Order is made by direction of the Court, the Honorable
16 Thomas S. Zilly, United States District Judge:

17 (1) Plaintiffs' motion, docket no. 43, to substitute a corrected version of their
18 Second Amended Complaint did not indicate whether plaintiffs' attorney conferred with
19 defendants' counsel before filing, and it was improperly noted as an unopposed motion.
20 The motion is RENOTED to December 22, 2017. Any response and any reply shall be
21 due in accordance with Local Civil Rule 7(d)(3).

22 (2) Before obtaining leave of the Court, plaintiffs filed a "substitute" Second
23 Amended Complaint, which is essentially a third amended complaint. The "substitute"
Second Amended Complaint, docket no. 45, is STRICKEN without prejudice.

(3) The deadline for filing any responsive pleading or motion, which is
currently 21 days after the Second Amended Complaint, docket no. 40, was filed, *i.e.*,
December 19, 2017, *see* Order at 14 (docket no. 38), is hereby STRICKEN, and will be
reset after the Court rules on plaintiff's motion to substitute, which will be treated as
seeking leave to amend.

(4) The Clerk is directed to send a copy of this Minute Order to all counsel of record.

Dated this 7th day of December, 2017.

William M. McCool
Clerk

s/Karen Dews
Deputy Clerk